

# THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

## Denholm Seeds

Whereas, THERE HAS BEEN PRESENTED TO THE  
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *seventeen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (84 Stat. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

MARIGOLD

'Spry Boy'



In Testimony Whereof, I have hereunto set  
my hand and caused the seal of the Plant  
Variety Protection Office to be affixed  
at the City of Washington  
this 1st day of May in  
the year of our Lord one thousand nine  
hundred and eighty.

Attest:

*Edward L. Keen*  
Commissioner  
Plant Variety Protection Office  
Grain Division  
Agricultural Marketing Service

*Robert B. Berry*  
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED  
OMB NO. 40-R3822

**APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE**

INSTRUCTIONS: See Reverse.

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

1a. TEMPORARY DESIGNATION OF VARIETY		1b. VARIETY NAME  Spry Boy		FOR OFFICIAL USE ONLY	
				PV NUMBER <b>7900084</b>	
2. KIND NAME  Marigold		3. GENUS AND SPECIES NAME  Tagetes patula		FILING DATE 6-4-79	TIME 3:10 <b>P.M.</b>
4. FAMILY NAME (BOTANICAL)  Compositae		5. DATE OF DETERMINATION  July, 1978		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 6-4-79 2/26/80
6. NAME OF APPLICANT(S)  Denholm Seeds		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) P.O. Box 1381 222 North A Street, Lompoc, CA. 93436		8. TELEPHONE AREA CODE AND NUMBER  805-736-4563	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.)  Corporation			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION  California		11. DATE OF INCORPORATION  1952
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS:  David G. Lemon Denholm Seeds, P.O. Box 1381, Lompoc, CA. 93436					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☒ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☐ YES ☒ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS? ☐ YES ☐ NO

14c. IF "YES" TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED? ☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.) *R/S*

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

May 16, 1979

(DATE)

*David G. Lemon*

(SIGNATURE OF APPLICANT)

1

(DATE)

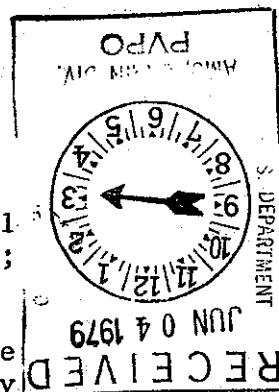
(SIGNATURE OF APPLICANT)

## INSTRUCTIONS

**GENERAL:** Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

### ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.



## MARIGOLD 'SPRY BOY'

## 13A Exhibit A

Origin and Breeding History of Variety

1. This variety originated from a cross between 'Harmony Boy' and 'King Tut'. This cross was made in 1976 and the F.2. population was grown in 1977. From this F.2. generation 59 selections were made. These were planted again in 1978 and from these we found line #18946 which was very uniform for color, height and type. This was increased in our greenhouse and again proved to be very uniform. This seed has been used for our first crop of 2 acres this year. This crop is again proving to be very uniform in all respects.

MARIGOLD, 'SPRY BOY'

Application No. 7900084

Addendum to EXHIBIT A

1. This variety is very uniform for height, color and season. In large populations there will be an occasional slightly taller plant (about 1 per 2,000 plants). No differences for color have been observed in this variety.

## EXHIBIT B

MARIGOLD 'SPRY BOY'

Application No. 7900084

The most similar variety to 'Spry Boy' is 'Harmony Boy' for plant type, flower size and bicolor. The major difference is color. Both varieties have the primary color Garnet Brown HCC 918/3. The difference is in the crest color. 'Spry Boy' is Lemon Yellow HCC 4/1, whereas 'Harmony Boy' is Tangerine Orange HCC 9/1.

color slides have been provided to show color difference.

UNITED STATES DEPARTMENT OF AGRICULTURE  
AGRICULTURAL MARKETING SERVICE  
GRAIN DIVISION  
HYATTSVILLE, MARYLAND 20782

EXHIBIT C  
(Marigold)

OBJECTIVE DESCRIPTION OF VARIETY  
MARIGOLD (TAGETE)

INSTRUCTIONS - See Reverse.

NAME OF APPLICANT(S) Denholm Seeds	FOR OFFICIAL USE ONLY PVPO NUMBER 7900084
ADDRESS (Street and No., or R.F.D. No., City, State, and ZIP Code) P.O. Box 1381 222 North A Street, Lompoc, CA. 93436	VARIETY NAME OR TEMPORARY DESIGNATION SPRY BOY

Place the appropriate number that describes the varietal character of this variety in the boxes below.

Place a zero in first box (e.g. 0 8 9 or 0 8 1) when number is either 99 or less or 9 or less.

1. SPECIES TYPE:

1 = ERECTA (African)    2 = PATULA (French)    3 = TENUIFOLIA (Signata)    4 = LUCIDA (Sweet)

5 = OTHER (Specify) \_\_\_\_\_

2

2. PLOIDY:

1 = DIPLOID (n = \_\_\_\_\_)    2 = TRIPLOID (n = \_\_\_\_\_)    3 = TETRAPLOID (n = \_\_\_\_\_)

3

3. PLANT TYPE/HABIT:

1 = EXTRA DWARF (Miniature, petite) < 20 CM.    2 = DWARF 25-35 CM.    3 = SEMIDWARF 40-55 CM.    4 = TALL > 60 CM.

1 = ERECT    2 = SEMIERECT    3 = DECUMBENT

1 = COMPACT    2 = LAX

Flowering: 1 = LONG SEASON    2 = SHORT SEASON

1

4. LEAF (Middle of first flowering branch):

Type: 1 = SIMPLE    2 = COMPOUND

Leaflet: 1 = OVATE    2 = LANCEOLATE    3 = ELLIPTIC    4 = FILIFORM

Margin: 1 = ENTIRE    2 = CRENATE    3 = SERRATE    4 = DENTATE    5 = INCISED

0 1 0 CM. LONG    6 0 MM. WIDE    2 Anthocyanin pigment in petioles: 1 = ABSENT    2 = PRESENT

1 Glands: 1 = PUNCTATE    2 = LARGE DOTS    2 Glands: 1 = BASAL    2 = APICAL

4 Odor: 1 = NONE    2 = MILD FRAGRANCE    3 = STRONG FRAGRANCE    4 = MILD "MARIGOLD"    5 = STRONG "MARIGOLD"

5. STEM:

1 = STRAIGHT    2 = ZIGZAG    2 1 = BRITTLE    2 = FLEXIBLE

3 Anthocyanin: 1 = ABSENT    2 = ALONG VEINS ONLY    1 2 CM. FROM BASE OF STEM TO INVOLUCRE OF TERMINAL FLOWER

3 = SOLID COLORATION    0 4 CM. FROM AXIL OF TOP BRANCH TO INVOLUCRE OF TERMINAL FLOWER

0 6 CM. FROM BASE OF MAIN STEM TO AXIL OF TOP BRANCH

0 1 NO. OF INTERNODES BELOW FIRST BRANCH    0 4 NO. OF FIRST ORDER BRANCHES (from main stem)

6. FLOWER:

3 Type: 1 = CARNATION    2 = CHRYSANTHEMUM    3 = OTHER    Crested

2 1 = SINGLES    2 = DOUBLES

3 Silhouette: 1 = FLATTENED    2 = ROSETTE    3 = GLOBULAR

4 Odor: 1 = NONE    2 = MILD FRAGRANCE    3 = STRONG FRAGRANCE    4 = MILD "MARIGOLD"    5 = STRONG "MARIGOLD"

FORM GR-470-9 (REVERSE)

## 6. FLOWER: (Continued)

1 Ray: 1 = FLATTENED 2 = CURLED/TWISTED (*Fantastic*)

2 Apices: 1 = ENTIRE 2 = LOBED 3 = NOTCHED

1 SURFACE - Dorsal: } 1 = GLABROUS 2 = PUBESCENT 3 = PUBESCENT ON APICE ONLY

1 SURFACE - Ventral: }

1 LUSTER - Dorsal: } 1 = SHINY 2 = DULL

2 LUSTER - Ventral: }

1 PATTERN - Dorsal: } 1 = SOLID 2 = SPOTTED 3 = STRIPED

5 PATTERN - Ventral: } 4 = PICOTEE 5 = OTHER (*Specify*) Bicolor

2 Color: 1 = SOLID 2 = BICOLOR (*Specify colors*): Primary Mahogany Secondary Yellow

State color standards used: \_\_\_\_\_

SIZE (Use outer row of first matured flower): 3 0 MM. LONG 3 5 MM. WIDE

3 Disc: 1 = ABSENT 2 = PRESENT, COVERED 3 = PRESENT, UNCOVERED

2 Type: 1 = NOT QUILLED 2 = QUILLED

## 7. DISEASE RESISTANCE (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

0 ROOT-ROT (*Phytophthora*) 0 VIRUS YELLOWS

0 GREY MOLD (*Botrytis*) 0 FUSARIUM WILT

0 STEM ROT (*Sclerotinia*) 0 WITCHES BROOM

## 8. INDICATE A VARIETY THAT MOST NEARLY RESEMBLE THAT SUBMITTED

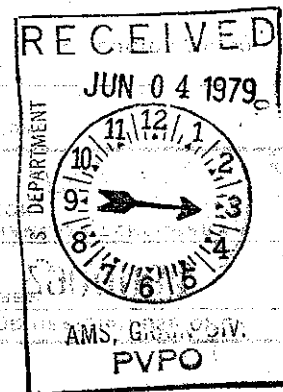
CHARACTER	VARIETY	CHARACTER	VARIETY
Plant shape	Harmony Boy	Flower size	Harmony Boy
Plant size	Harmony Boy	Flower shape	Harmony Boy
Foliage	Harmony Boy	Flower color	Petite Spry

## INSTRUCTIONS

REFERENCES: The following publications may be used as a reference aid for completing this form:

- (a) Bailey, L. H., 1949, Manual of Cultivated Plants, MacMillan.
- (b) Royal Horticulture Society, 1965, Dictionary of Gardening, Oxford.
- (c) Wyman, Donald, 1971, Wyman's Gardening Encyclopedia, MacMillan.

COLOR: Nickerson's or any recognized color fan may be used to determine the colors.





## MARIGOLD 'HARMONY BOY'

13A Exhibit D

Additional Description of Variety

Marigold 'Spry Boy' is another addition to our 'Boy' series already represented by 'Golden Boy', 'Yellow Boy' (PVP7600034), 'Harmony Boy' (PVP7800027) and 'Orange Boy' (PVP7800043). Closest comparisons are 'Petite Spry' and 'King Tut'. Flower size is much improved over 'Petite Spry', also 'Spry Boy' is more floriferous. In comparison to 'King Tut' this variety is dwarfer, earlier, more floriferous but not quite as large flowered.